

## Editorial Department.

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### JURY TRIALS FOR THE INSANE.

THOUGH the subject is somewhat trite, still the bad results of the trial-by-jury system in the commitment of the insane are so well illustrated in a recent case occurring in Illinois that the same calls for comment here. The case as given in the *Chicago Times* is as follows : "Too much looking into books" was given as the cause of E. P.'s unfortunate condition of mind. Miss P. had been a teacher in the H. school, and too close application had upset her mental faculties. Her father said she had tried to hang herself and had jumped out of the window. When the poor girl was questioned by the Court she said : "Oh ! I'm sick. I went into a dispensary and they gave me three great black pills. Queer things come into my room at night, and I tried to kill myself because my folks would not let me go to church. Why, niggers are trying to take my life all the time." As the patient spoke coherently, and said she did not want to go to a hospital for the insane, the jury disagreed as to her mental condition, but the judge, who often has to make up for the defects of the jury, continued the case for one week ; during that week the girl almost starved herself to death in consequence of delusions about poisoned food. A second jury found her insane.

This case illustrates in a very decided manner the cruelties and dangers of the jury system, and the advantages of the system are by no means apparent. No right of challenge will secure good jurymen, and the art of "fixing juries" is one of the great accomplishments of unscrupulous members of the legal profession. Juries are composed of persons, as a rule, more venal than the most venal member of the medical profession ; and even supposing the jury to be honest, the average juror has not a judicial

mind. He can not discriminate between permitted testimony and reliable evidence. Every thing stated in the court-room during the trial, and not unfrequently there is much hearsay evidence and applause uttered in the court-room, influences the jury. Time and again has it happened in Illinois that a man has had himself chosen as a juror to spite relatives of the insane by finding the alleged lunatic sane. But is there no ground for the public opinion that some safeguard for the safety of the same or those recovered from insanity is required? It cannot be denied that at least one person recovered from insanity has been detained too long in a hospital for the insane. The remedy for this and for supposedly improper commitments lies not in throwing obstacles in the way of the commitment of the insane, but in supervision of the inmates of hospitals for the insane. That this would be unobjectionable to superintendents who have the interests of their patients at heart is shown by the requests of more than one of these gentlemen for an advisory board to whom he can refer cases whose recovery requires, in his opinion, to be tested, and whose opinion would be final. These boards must, however, not be constituted, like some of the present boards, of one alienist sandwiched in with an unlimited quantity of medical politicians who neither know nor care any thing about psychiatry.

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#### AMERICANO-PHILISM IN ENGLISH ALIENISTS.

THAT scientists should be scientists first and patriots second cannot be denied, still every American feels gratified on hearing that American scientific results are appreciated abroad. If such appreciation, however, have no proper foundation, gratification becomes disgust. English visitors to the United States have a great tendency to admire the scientific achievements of such Americans as have treated them with personal courtesy. Others, forgetting that the United States is a nation made up of communities the laws of which differ markedly, praise American legal procedure as being the quintessence of legal wisdom. Dr. Bucknill, for example, has recently shown astonishing tendencies in this direction. Deceived in respect to the amount of restraint used